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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,548	01/04/2002	Lev Korenevsky		7129

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LEV KORENEVSKY
250 174st. #1107
MIAMI BEACH, FL 33160

EXAMINER

BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

004

Office Action Summary

Application No.

10/037,548

Applicant(s)

KORENEVSKY, LEV

Examiner

Shay L Balsis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 8 and 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 9 and 10 is/are objected to.
- 8) ☒ Claim(s) 1-17 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 1-10 in Paper No. 3 is acknowledged. The traversal is on the ground(s) that claim 8 is not separately usable and is irrelevant to any tool but the roller frame. This is not found persuasive because the roller can be used without the hook and the hook can be used on any other tool as a means for hanging. Applicant states that the hook is to be attached to the roller so that it can hang on a paint bucket. This is intended use and holds no patentable weight. The hook could be attached to a screwdriver and used to hang a hook for storage. Additionally, if applicant wants the hook to be used solely on the paint roller, applicant should make it depend from claim 1 instead of as an independent claim. For these reasons claims 11-17 as well as claim 8 are withdrawn and claims 1-7 and 9-10 are being examined.

Drawings

2. New corrected drawings are required in this application because the figures are drawn too close together making the reference numbers difficult to read. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

Page 18, line 1 reads "inner tube 311 and the outer tube 331" however, it should read – inner tube 331 and the outer tube 311-.

Appropriate correction is required.

The abstract of the disclosure is objected to because it contains more than 150 words.

Abstracts should be short and concise. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claims 9 and 10 are objected to because of the following informalities:

Claim 9 recites the limitation "the portion of the shaft" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the roller edge" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the roller frame shaft's portion" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the roller cage" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the shaft's curve" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the roller axle" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Thackara (USPN 2766473).

Thackara teaches a paint roller frame comprising a shaft (11) having a handle (10) on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (16) and an outer portion (25). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (17) to support the paint roller sleeve and an inner face (19) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (26) to support the paint roller sleeve and an outer face (28) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. There are two resilient integral washers (17, 26) adjacent to the inner and outer faces to ensure a tight fit. The roller cage can be removed from the shaft for maintenance or replacement of parts.

7. Claims 1-4, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Newman (USPN 3745624).

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Newman teaches a paint roller frame comprising a shaft (10) having a handle (12) on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (26) and an outer portion (48). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (26) to support the paint roller sleeve and an inner face (40) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (48) to support the paint roller sleeve and an outer face (56) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. There are two resilient integral washers (48, 56) adjacent to the inner and outer faces to ensure a tight fit. Additionally, there is another washer (38) adjacent the bearing portion. The length of the roller cage assembly is adjustable by repositioning of the roller cage parts allowing for the same roller frame with roller sleeves of different lengths. The roller cage can be removed from the shaft for maintenance or replacement of parts.

8. Claims 1-4, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Dezen (USPN 4467509).

Dezen teaches a paint roller frame comprising a shaft (30) having a handle on one end and a roller cage mounted on the opposite end. The roller cage assembly is generally perpendicular to the handle portion. The roller cage has a bearing portion (36) and an outer portion (40). The bearing portion is mounted on the shaft that is passing through an opening in the bearing portion. The bearing portion has a supporting surface (50) to support the paint roller

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sleeve and an inner face (46) against which an inner end of the roller sleeve core can be urged to prevent the paint roller sleeve from axial sliding. The outer portion has a supporting surface (66) to support the paint roller sleeve and an outer face (48) against which an outer end surface of the roller sleeve core can be urged to prevent the paint roller sleeve from axially sliding. The bearing portion and the outer portion comprise a mating connection to ensure tight trapping of the core. There are two resilient integral washers (46, 48) adjacent to the inner and outer faces to ensure a tight fit. Additionally, there are other washers (62, 72) adjacent the outer and bearing portion to further prevent leakage. The length of the roller cage assembly is adjustable by repositioning of the roller cage parts allowing for the same roller frame with roller sleeves of different lengths (abstract). The outer portion is adjusted axially to tightly grip the roller. The roller cage can be removed from the shaft for maintenance or replacement of parts.

9. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Jang et al. (USPN 5497527).

Jang teaches a paint roller shaft made of plastic (col. 2, line 34) to eliminate dark marks on walls as a result of occasional touching walls with the shaft.

10. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Mlachnik (USPN 4237575).

Mlachnik teaches a paint roller shaft having two straight segments (best shown by reference number 54 and the segment to the left of the number 34), one that is perpendicular to the roller axle and another that is parallel to the roller axle. There is an intermediate portion (best shown by reference number 14) of the shaft connecting the straight segments that has an angle of about 135 degrees.

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11. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Rossetti (USPN 5626672).

Rossetti teaches a paint roller shaft having two straight segments (not labeled), one that is perpendicular to the roller axle and another that is parallel to the roller axle. There is an intermediate portion (not labeled) of the shaft connecting the straight segments that has an angle of about 135 degrees (entire shaft represented by reference number 4).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thackara in view of Chin (USPN 6141821), Newman in view of Chin (USPN 6141821) and Dezen in view of Chin (USPN 6141821).

Thackara, Newman and Dezen teach all the essential elements of the claimed invention however the references fail to teach a paint roller frame comprising a stopper to keep the roller cage from rotating around the shaft. Chin teaches a dual paint roller assembly that comprises stopper (18), which limits or stops the rotational movement of one of the rollers (col. 3, lines 50-64). When the stopper is used, the roller is in the "OFF" mode meaning it will not rotate and when the stopper is removed it is in "ON" mode meaning it is free to rotate. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a stopper

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means to Thackara, Newman and Dezen to allow the roller to lock in to place thus allowing for easier removal of the roller from the frame.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thackara in view of Al-samman (USPN 4402102), Newman in view of Al-samman (USPN 4402102) and Dezen in view of Al-samman (USPN 4402102).

Thackara, Newman and Dezen teach all the essential elements of the claimed invention however the references fail to teach a paint roller frame comprising a clip-on end wig that can be mounted on the outer end of the roller. Al-samman teaches a paint roller with a corner painting attachment (5). The attachment is made from a material similar to the paint roller. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a corner painting attachment as taught by Al-samman to Thackara, Newman and Dezen to allow for simultaneous painting of a corner and an adjacent wall (abstract).

15. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thackara in view of Napolitan (USPN 6499177), Newman in view of Napolitan (USPN 6499177) and Dezen in view of Napolitan (USPN 6499177).

Thackara, Newman and Dezen teach all the essential elements of the claimed invention however the references fail to teach a paint roller frame comprising a clip-on end wig that can be mounted on the outer end of the roller. Napolitan teaches a paint roller with a corner painting attachment (24). The attachment is made from a material similar to the paint roller. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a corner painting attachment as taught by Napolitan to Thackara, Newman and Dezen to allow for

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the application of a coating material uniformly to two intersecting surfaces such as in a corner (abstract).

Examiner's Remarks

16. In regards as to how to proceed with the remaining claims that are withdrawn, the Applicant may file a Divisional application, wherein the Applicant keeps the original filing date. MPEP 802, 35 U.S.C. 121.

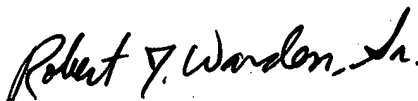
Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5665.

Slb
12/31/03


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